# - JAN/25/2006/WED 02:23 PM WOODARD EMHARDT FAX No. 317 637 7561 RECEIVED P. 001 CENTRAL FAX CENTER

JAN 2 5 2006

WEMMH/\$B/21 (4/03)

TRANSMITTAL	Application Number	10/602,905		
IKANSIMITAL	Filing Date	June 24, 2003		
FORM	First Named Inventor	James A. HOFF		
(to be used for all correspondence after initial filing)	Group Art Unit	3727		
	Examiner Name	James N. Smalley		
Total Number of Pages in this Submission 5	Attomey Docket Number	1104-964/RKE-075-Appeal		
ENCLOSURES (check all that apply)				
Fee Transmittal Form	Assignment Papers	After Allowance Communication to Group		
Fee Attached see PTO-2038 form	Drawing(s)	Appeal Communication to Board of Appeals and Interferences		
Amendment Response	Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final	To Convert a Provisional Ap	pplication Proprietary Information		
Affidavits/declaration(s)	Power of Attorney, Revocati Change of Correspondence			
Extension of Time Request	Terminal Disclaimer	Additional Enclosure (please identify below)		
Express Abandonment Request	Small Entity Statement	Return Receipt Postcard		
Information Disclosure Statement	Request for Refund	·		
Certifled Copy of Priority Documents				
Response to Missing Parts/ Incomplete Application	Remarks			
Response to Missing Parts under 37 CRF 1.52 or 1.53				
SIGNATURE C	OF APPLICANT, ATTORNE	EY, OR AGENT		
Firm James M. Durlacher  or Woodard, Emhardt, Moriarty, McNett & Henry LLP				
Signeture James M. Durlacher				
Date January 25, 2006				
	Certificate of Mailing			
I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 via Telefax No. 571-273-8300 on this date:  January 25, 2006				
Typed or printed James M. Durlacher, Reg. No. 28,840				
Signature James m. Durth	rcher	Date January 25, 2006		

FAX No. 317 637 758AN 2 5 2006

P. 003

WEMMH/58/17 (12/04)
OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Peperwork Reduction Act of 1995, no persons are required to response e collection of information unless it displays a valid OMB control number. Complete if Known FEE TRANSMITTAL Application Number 10/602,905 FOR FY 2005 Filing Date June 24, 2003 First Named Inventor James A. HOFF Effective 12/08/2004. Group Art Unit 3727 Fees pursuant to the Consolidated Appropriations Act (H.R. 4818). Applicant claims small entity status. See 37 CFR 1.27 Examiner Name James N. Smalley (\$) 500.00 Attorney Docket Number 1104-964/RKE-075-Appeal Total Amount of Payment METHOD OF PAYMENT (check all that apply) ☐ Check ☐ Credit card ☐ Money ☐ Other None Other (please identify): Order Deposit Account: Deposit Account Number Deposit Account Name 23-3030 Woodard, Emhardt, Moriarty, McNett & Henry LLP See PTO 2038 Form The Director is authorized to: (check all that apply) Charge fee(s) Indicated below 🗵 Credit any overpayments 🗵 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue ☐ Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account. **FEE CALCULATION:** 1. BASIC FILING, SEARCH AND EXAMINATION FEES **FILING FEES** SEARCH FEES **EXAMINATION FEES Application Type** <u>Fee (\$)</u> **Small Entity** Fee (\$) Small Entity **Small Entity** Fees Paid (\$) Fee (\$) <u>Fee (\$)</u> Fee (\$) Fee (\$) 0 300 150 100 Utifity 500 250 200 200 100 50 65 Design 100 130 200 100 300 150 160 80 Plant 250 300 Reissue 150 500 600 300 100 a à n 0 Provisional 200 2. EXCESS CLAIM FEES Fee (\$) 50 Small Entity Fee (\$) Fee Description Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 200 100 Each independent claim over 3 or, for Reissues, each independent dalm more than in the original patent Multiple dependent claims 360 180 Extra Claims Multiple Dependent Claims Total Claims Fee (\$) Fee Paid (\$) 50 - 20 ar HP = (\$) Fee Fee Paid (\$) (HP = highest number of total claims paid for, if greater than 20) Indep. Claims Extra Claims Fep (\$) Fee Paid (\$) 360 200 <u>(\$)</u> (HP = highest number of independent claims paid for, if greater than 3) APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheeta

Number of each additional 50 or fraction thereof Fee Patd (\$) Fee (\$) -100 = (round up to a whole number) x 4. OTHER FEE(S) Fee Pald (\$) Non-English Specification. 0 Other: Fee to file Notice of Appeal \$500.00 SUBMITTED BY: Registration No.: James M. Durlacher 28,840 (317) 634-3456 Telephone: Name (Print/Type): (Attorney/Agent) Stanature: ames M. January 25, 2006 CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. 80x 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office, on January 25, 2005 Sandra L. Stilz Name (Print/Type) Date January 25, 2008 andra

JAN 2 5 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re patent application of:	) Before the Examiner	I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office via fax No. (571)-273-8300 OR Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents,
James A. HOFF	) James N. Smalley	P.O. Box 1450, Alexandria, VA 22313-1450 (37 CFR 1.8(a)) on January 25, 2006
Serial No. 10/602,905	) ) Group Art Unit 3727	Date of deposit  James M. Durlacher
Filed June 24, 2003	) ) January 25, 2006	Name of Registered Representative  James m. Durlacher
CLOSURE ASSEMBLY Atty Docket No. 1104-964	) )	Signature January 25, 2006  Date of Signature
		Date of Digitalore

### NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is \$500.00. Payment is being made by credit card authorization. Form PTO 2038 is attached.

The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 23-3030. I have enclosed a duplicate copy of this letter.

I confirm that I am the attorney of record for this patent application.

Respectfully submitted,

James M. Durlacher, Reg. No. 28,840

Woodard, Emhardt, Moriarty, McNett & Henry LLP

111 Monument Circle, Suite 3700 Indianapolis, Indiana 46204-5137

(317) 634-3456

Notice of Appeal Serial No. 10/602,905 Group Art Unit 3727 Atty, Docket No. 1104-750/RKE-075 Page 1 of 1

01 FC:1401

81/26/2086 MBINAS

00000002 10602905 599.98 OP

1104-964:JMD::#382696

## RECEIVED **CENTRAL FAX CENTER**

JAN 2 5 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re patent application of:	, .	I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office via Fax No. (571)-273-8300 OR
III te pateitt application of.	) Before the Examiner	Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents."
James A. HOFF	)	P.O. Box 1450, Alexandria, VA 22313-1450 (37 CFR 1.8(a)) on
	) James N. Smalley	January 25, 2006
Serial No. 10/602,905	)	Date of deposit
	) Group Art Unit 3727	James M. Durlacher  Name of Registered Representative
Filed June 24, 2003	)	
CLOCUDE ACCEMBLY	) January 25, 2006	James m. Durlacher
CLOSURE ASSEMBLY Atty Docket No. 1104-964	<i>)</i>	Signature January 25, 2006
Ally Docker 110. 1104-904	,	Date of Signature

### NOTI<u>CE OF APPEAL</u> FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is \$500.00. Payment is being made by credit card authorization. Form PTO 2038 is attached.

The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 23-3030. I have enclosed a duplicate copy of this letter.

I confirm that I am the attorney of record for this patent application.

Respectfully submitted,

James M. Durlacher, Reg. No. 28,840 Woodard, Emhardt, Moriarty, McNett & Henry LLP

111 Monument Circle, Suite 3700 Indianapolis, Indiana 46204-5137

(317) 634-3456

Notice of Appeal Serial No. 10/602,905 Group Art Unit 3727 Atty. Docket No. 1104-750/RKE-075 Page 1 of 1 1104-964:JMD::#382696

